IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 29657 of 2006(E)

PETITIONERS:

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1. C.P.BASHEER, CHALAPPEERUPARAMBIL HOUSE, THEKKEKKARA KARA, ERATTUPETTA-2, MEENACHIL TALUK, KOTTAYAM DISTRICT.

2. SALMATH BASHEER, W/O.BASHEER, CHELAPEERUPARAMBIL HOUSE, THEKKEKKARA KARA, ERATTUPETTA-2, MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS:

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1. THE KERALA CO-OPERATIVE TRIBUNAL, REPRESENTED BY ITS SECRETARY, OFFICE OF THE KERALA CO-OPERATIVE TRIBUNAL, THIRUVANANTHAPURAM.

2. THE ARBITRATOR, SPECIAL SALE OFFICER, MEENACHIL EAST URBAN CO-OPERATIVE BANK LTD., OFFICE OF THE ASSISTANT REGISTRAR (GENERAL), MEENACHIL, PALA.

3. MEENACHIL EAST URBAN CO-OPERATIVE BANK LTD.NO. 4266, POONJAR, THEKKEKKARA, REPRESENTED BY ITS GENERAL MANAGER, P.S.MATHEW.

R1 & R2 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.
R3 BY ADV. SRI.SHAJI THOMAS PORKKATTIL
SRI.BINU PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 29657/2006.

APPENDIX

PETITIONERS' EXTS:

EXT. P1 : TRUE COPY OF THE ARBITRATION CASE NO.6086/2002 BEFORE THE 2ND RESPONDENT.

EXT. P2 : TRUE COPY OF THE PASS BOOK.

EXT. P3 : TRUE COPY OF THE AWARD IN ARC 6086/02 PASSED BY THE 2ND RESPONDENT.

EXT. P4 : TRUE COPY OF THE REVISION PETITION.

EXT. P5 : TRUE COPY OF THE ORDER DATED 29.6.2006 IN R.P. 200/05 BEFORE THE 1ST RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No.29657 of 2006

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Dated this the 14th day of September, 2007

JUDGMENT

Petitioner challenges Ext.P5 and seeks a direction to consider the revision petition afresh. The revision filed against the award passed against the petitioner has been dismissed on the ground of delay.

2. I heard learned counsel for the petitioners and the learned counsel for the Bank. Learned counsel for the petitioners submits that the petitioners may be permitted to pay off the amount due in easy instalments.

The petitioners are permitted to pay off the amount due with interest in six equal monthly instalments. The third respondent will serve a statement on the petitioners within seven days from today showing the exact amount of instalment to be paid in terms of this judgment. The first instalment shall be paid by the petitioners on or before 14.10.2007 and the further instalments on or before the 14th of the succeeding months. If any instalment is not paid, the petitioners

will lose the benefit of this judgment and it will be open to the respondent Bank to proceed against the petitioners in accordance with law.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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